

EXHIBIT 2

SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

PLAINTIFF;

MICHAEL WHEELER
1728 VICTORIA WAY
KENNESAW, GEORGIA 30152
(Pro-se)

CASE NO. 05-1-10429-34

DEFENDANT(S);

ANGELA C. EADDY
ALLISON CURTIS
JULIE WILLIS
LAUREN ERNST
NANCY MARKS

HOMECOMINGS FINANCIAL
P. O. BOX 100585
FLORENCE, SC. 29501-0585

HOMECOMINGS FINANCIAL
2711 NORTH HASKELL AVE.
SUITE 900
DALLAS, TX. 75204

HOMECOMINGS FINANCIAL
8400 NORMANDALE LAKE BLVD.
MINNEAPOLIS, MN. 55437-1083

(Et-al)

“Plaintiff’s First Amendment To The Original Complaint”, (O.C.G.A. 9-11-15).

Comes now, Michael Wheeler, Plaintiff in the above styled Civil Action and files this amendment to the original complaint against the Defendant’s as named:

2.

1. The Defendants, Homecomings Financial (ET-AL), by order to Fidelity National Field Services, Incorporated. Broke into 6 London Court on February 1, 2006 causing damage and theft of personal property belonging to the Plaintiff. Total cost to replace and repair \$7,000.00.

The house was left in an unsecured condition whereas, the exterior and interior garage doors were standing wide open along with the fence gate that surrounds the back yard which contains an in ground swimming pool. Creating a dangerous liability situation for the Plaintiff.

2. The resulting break-in at 6 London Court was done under the guise of a Foreclosure, but was nothing less than retribution because the Plaintiff sued the Defendant the previous month.

3. Subsequently, the Defendants have on two other occasions cut the locks on the fence gate and back garage door, entering 6 London Court, then leaving the house in an unsecured condition.

4. The Defendants provided false financial information regarding the fraudulent foreclosure of 6 London Court, to MORRIS, SCHNEIDER & PRIOR, L.L.C., Attorneys and Counselors at Law, 1587 Northeast Expressway, Atlanta Georgia.

Who then mailed the fraudulent financial information to the Plaintiff on behalf of the Defendants using the United States Postal Service.

5. Plaintiff has sustained further financial damage whereas, 13520 Lexington Plantation Lane, Alpharetta Georgia, a single family residence was foreclosed on October 4, 2006, at a loss of \$1,400,000.00.

6. The foreclosure of Lexington Plantation Lane was a direct result of the Plaintiff's credit rating being severely damaged by the Defendant's negligent actions.

7. The Defendants have been accepting and cashing checks drawn on the Plaintiffs business for more than five years, (Wheeler Construction company), amounting to almost \$140,000.00 in mortgage payments for both 6 London Court and 1728 Victoria Way.

3.

8. The Plaintiff's checks which were issued for mortgage payments 6 London Court, have been destroyed or returned by the Defendant's whereas;

A. The defendants held the check for more than five months before presenting the check for payment even though the check has a type written watermark clearly stating:

(THIS CHECK IS VOID 30 DAYS FROM ISSUE)

Check issued for the October 2006 mortgage payment was destroyed..

B. On three occasions, the Defendant states that the check is a third party check., and were returned to the Plaintiff.

C. Defendant states that they cannot find the mortgage account, the check was returned to the Plaintiff.

The Plaintiff seeks actual damages which now total \$1,800,000.00. This amount changes every six months due to the fact of escalating interest for the Victoria Way mortgage, held by the Defendants.

The Plaintiff seeks to increase the punitive and exemplary damages to an amount not less than \$20,000,000.00. For the Defendant's recklessness, negligence, property damage and total disregard in the management of both 6 London Court and 1728 Victoria Way, mortgage's.

Michael Wheeler



Attorney Pro-Se
1728 Victoria Way
Kennesaw, Georgia 30152
770.428.9527

AFFIDAVIT

STATE OF GEORGIA

COBB COUNTY

The following affidavit affixed to the "Plaintiff's First Amendment To The Original Complaint", states the allegations are true and correct.



Michael Wheeler, Pro-se.

NOTARY PUBLIC:

This 29~~th~~ day of November, 2007.



NOTARY PUBLIC



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MINNEAPOLIS, MN. 55437-1083

(Et-al)

2.

"CERTIFICATE OF SERVICE"

This is to certify that I have this day served:

Dylan W. Howard
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Monarch Plaza
Suite 1600
3414 Peachtree Road N.E.
Atlanta, Georgia 30326
(Formally Gambrell & Stolz, LLP)

Attorney for the Defendant's, with a copy of:

1. Plaintiff's First Amendment To The Original Filed On December 28, 2005.
2. Rule 5.2 Certificate.

By depositing a copy of same in the United States Mail, Certified Mail, in a properly addressed envelope.

This 29th of November, 2007.

Michael Wheeler



Pro-se
1728 Victoria Way
Kennesaw, Georgia 30152